(194[7] Department.

(Ms.). SERIES.

G.O. NO. 1461 &c

Dated 8th July 47
5-7-47

[Despatch Abstract.]

Land Acquisition - South Kanara - Mangalore taluk. Ananthapathy High School, Mangalore Notification under section 4 (i) of the Act published.

ef.C.No.Bl.2121/47. S.Kanara Collector's Office,
Mangalore dated 2.6.47.

rom
J.F.SAUNDERS ESQ.,M.B.E.,I.C.S)
Collector of South Kanara.)

To
The Secretary to Government
Education and Public Health Department,
Madras.

PUBLIC HEALTH DEPARTMENT

ir,
LAND ACQUISITION- (South Kanara)- Mangalore Taluk - Someshwar villag
illage- S.No.76/1- for school purposes- Draft 4(1) notification-
ubmitted.

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At the instance of the Secretary, Saraswat Education Society, anapathy High School, Mangalore I submit a draft notification under ection 4(1) of the Land Acquisition Act, in respect of S.No.76/1 of omeshwar village, Mangalore Taluk. The plot is required by the Society or school purposes. The owner of the plot, Srimathi Ummakke does not onsent to the proposed acquisition, on the ground that she requires it or her own use. She does not state for what specific purpose she wants t. Her objections are untenable and may be over-ruled. The estimated ost of acquisition is Rs.460/-. The Society has agreed to abide by the sual conditions. A copy of this office letter No.Bl.2121/47 dated .5.47 and the reply dated 26.5.47 of the Secretary of the Society are nclosed. The draft notification may be approved and got published in he Fort St.George Gazette.

For Collector.

opy to the R.D.O.Mangalore with the records of the preliminary enquiry eturned.

Copy of letter Ref.C.No.Bl.2121/47 dated 3.5.47 from the Collector of S.Kanara to Sri K.Gopal Rao, B.A, L.T, Secretary, Saraswath Education, Ganapathy High School, Mangalore.

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LAND ACQUISITION- Mangalore Taluk - Someshwar [illegible] - S.No.76/1- Application for acquisition for purposes of school premises.

...

Ref: Your letter dated 15.1.1947.

The provisional estimated cost of acquisition of S.No.76/1 of omeshwar village is Rs.460/-(Four hundred and sixty only). Please let m now whether the Saraswat Education Society, Mangalore agrees to abide y the following conditions. This information is necessary before the cquisition proceedings are started. Please also state the specific purpose for which the land will be used.

Conditions.

(1)Agreeing to pay the funds.

(2)Agreeing to pay extra compensation, if any, that might be awardec y the Court, should the case be referred to it.

(3)Undertaking to use the land as approved by the Collector for the urpose to be specified and for no other purpose, without the sanction f the Government.

(4)To use the land for the specified purpose within a period of two ears from the date of handing over the land.

(5)To restore the land to the Government, if they so direct on payme f the compensation awarded less 15% awarded for compulsory acquisition r of the value of the land at the time of restoration, which ever may ess; in the event of your not carrying out the purposes for which the l s acquired, within the specified period or using the land without the anction of the Government at any time, for any purpose other than for hat it is acquired.

(6)The amount of grant made by the Government towards the cost of th and and of the buildings or other improvements shall be deducted from t ompensation payable under conditions 12, 13 and 14.

(7)The school shall be open to members of all castes and communities

(8)The land shall be used for the specified purpose as approved by t ollector and for no other purpose.

(9)The purposes for which the land is to be acquired shall be carrie ut within a period of two years from the date of the grant.

(10)No part of the land if set apart for the play ground shall be uilt upon without the previous permission of the Collector, and if the rantee refuses to remove the building when so directed, the Government r any officer empowered by them in this behalf shall have the power to emove the buildings and to realise the cost of ~~the land~~ such removal by he sale of materials.

(11)The market value of the land shall be collected, if at any time s found that the grantee derives a substantial income from the grant.

(12)The Government may resume the land wholly or in part, with any uildings thereon, if in theirm opinion, the land is required for a ublic purpose or for conducting mining operations. In the event of su esumption, the compensation payable for the land and trees shall be th mount paid for them by the alienee at the time of the acquisition, in- luding the 15% solatium or the value at the time of resumption together ith 15% thereof, whichever may be less. If there are buildings on the l he Government shall pay compensation for them in accordance with the rovisions of condition 13.

(13)In the event of the resumption of land under condition 12, the ompensation payable for the buildings and other improvements shall be mount paid for them by the alienee at the time of acquisition including the 15% solatium or their value at the time of resumption by the Governm together with 15% thereof, whichever may be less, together with the initial cost or the value at the time of resumption which ever may be le of any buildings erected and other improvements effected on the land by alienee in accordance with the terms of alienation, plus 15% of such cos or value.

(14)In the event of the infringement of any of the conditions of alienation, or in the event of voluntary relinquishment of the land by alienee, the Government may resume the land if it is required for a pul purpose or if the Government consider that it should be returned to the original owner. If the Government decide not to exercise this power an inform the alienee accordingly, the latter may dispose of the land in

manner it likes, subject to its repaying to the Government the amount any grant made by them towards the cost of the land and of the buildings other improvements. In the event of the resumption of the land der this condition, the compensation payable to the alienee shall be e value of the land at the time of acquisition (less 15% awarded for mpulsory acquisition) or its value at the time of resumption whichever y be less, together with the value of the buildings and other improvements the time of resumption. If there are buildings on the land, which the vernment do not require, the alienee shall remove them at his cost. In e event of the grantee, refusing to remove the buildings, the Government y remove them and realise the cost of the removal by the sale of the terials.

5. Full land revenue shall be levied, if at any time any net income is rived from the land, or if any of the conditions of alienation are fringed. In the latter case, the land revenue shall be levied from the te of infringement. The decision of the Collector on the question whether net income is derived from the land or not shall be final.

/True Copy/

For Collector.

Copy of letter, No. nil dated 26-5-1947 from Secretary, Saraswath Education Society (Regd)., Ganapathy High, School, Mangalore To the Collector of South Kanara, Mangalore.

Ref.Your letter No.B1/2121/47, dated 3-5-1947 Re. acquisition of plot No.S.76/1 of Someshwar village.

In enclosing herein an extract from the Proceedings of a meeting of the Council of the Saraswath Education Society held on 25-5-1947, I wish to state that the Council agrees to abide by all the conditions mentioned in your letter referred to above. I am also directed by the Council to intimate to you that the plot in question would be used for an approach road and for playgrounds for the school and hostel. I therefore request that necessary arrangements may kindly be made to proceed with the land acquisition.

(Sd) T.G.Gopal Rao,
SECRETARY.
Saraswath Educational Society
(Regd)., Mangalore.

/True Copy/ 4/5

For Collector

AD/4.6.47

Proceedings of a meeting of the Council of the Saraswath Education Society held on 25.5.47 in the Ganapathy High School, Mangalore.

Agenda	Resolution
2.Consideration of the letter No.B1/21 21/47 dated 3.5.1947 from the Collector of South Kanara re.acquisition of vacant land close to the Anandashram School,Ullal	... Resolved further that the conditions recited in the Collector's letter dated 3.5.1947 be accepted and the Collector requested to proceed with the Land Acquisition Proceedings. The Collector will be intimated that the plot in question would be used for an approach road and for play-grounds for the school and hostel.

Sd/G.Someshekar Rau
President, S.E.Society.

/True Extract/

Sd/xx xx xx
Secretary,
Saraswath Education Society
(Regd)
Mangalore.

/Ins Copy)

5/5

For Collector.

Land Acquisition-South Kanara-Mangalore taluk-Ganapathy High School, Mangalore ~~Notification under Section 4 (1) of the Act Published.~~

From the Collector of South Kanara, R.C.No.2121/47 dated 2-6-47.

Order(Ms) No. 1461 Education dated 8.7.47

The draft notification under Section 4(1) of the Land Acquisition Act for the acquisition of land in Someshwar village in Mangalore taluk required for the Ganapathy High School, Mangalore will be published in the Fort St, George Gazette.

2. A contribution of one anna is sanctioned from Provincial funds towards the cost of acquisition.

To the
Collector, of South Kanara.
The D.P.I.
The Board of Revenue.
The S.G.R. for publication in F.S.G.G.

Note:- The managing society has agreed to abide by the conditions of ~~eli~~ enation.

The file may be sent to Revenue U.O. for approval of the draft order

B/Karan Dy H

To U.S The draft order overleaf may be accepted and the file returned to E&H PH.

I.V.V 20647.

20/6/47

23.6.47 E.P.H

5976

Rev. U.O. 3743 H/47

23-6-47.

E&H (PH)

The order may now be issued

24/6/47

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27.6.47